

**PODLOFSKY & ORANGE**  
**ATTORNEYS AT LAW**

98 CUTTER MILL ROAD, SUITE 299-N  
 GREAT NECK, NEW YORK 11021  
 (516) 487-7300  
 FACSIMILE: (516) 504-6390

IRA C. PODLOFSKY  
 JAN H. ORANGE  
 JAMES MODZELEWSKI  
 SUSAN E. FRAZZETTO

LISSETTE LOPEZ  
 OFFICE MANAGER

May 29, 2008

**MEMO ENDORSED**

Via Facsimile-914-390-4085  
 Honorable Charles L. Brient  
 United States District Court  
 300 Quarropas Street  
 White Plains, New York 10601

*Copy received & forwarded to  
 July 11, 2008 @ 9:00 AM  
 as directed.*

Re: Myers v. Yamaha  
 Case No.: CV 3546-08

*08 CV 3546 (C1B)*

*Charles L. Brient*  
*6/2/08* *USDS*

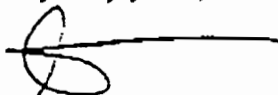
Honorable Sir

We represent the plaintiff in the above-referenced matter which is scheduled for conference, for the purpose of Case Management and scheduling, before you tomorrow, May 30<sup>th</sup>.

I am writing to ask for a brief adjournment of the conference. We are in the process of seeking counsel for Mr. Myers with expertise in the vehicular products liability area. I believe we will have such new counsel structure in place within the next several weeks and it is, therefore, my wish that what will likely be new lead counsel be permitted to attend the Case Management and scheduling conference. I believe doing so would result in a more efficient and streamlined litigation, from the point of view of both sides and most importantly the Court, and I would ask that the requested adjournment be granted on that basis.

With kind thanks for your attention to these issues, I remain,

Very truly yours,



Ira C. Podlofsky

cc: Via Facsimile-914-323-7001  
 Sheila gh DePeter  
 Wilson Elser Moskowitz Edelman & Dicker  
 3 Gannett Drive  
 White Plains, NY 10604

ICP/bh